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JAN 21 1983

By: Miller

S.B. No. 207

A BILL TO BE ENTITLED

AN ACT

relating to money deposited in the state treasury by the Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids that is subject to refund; adding Section 12C to Chapter 366, Acts of the 61st Legislature, Regular Session, 1969, as amended (Article 4566-1.01 et seq., Vernon's Texas Civil Statutes);

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 366, Acts of the 61st Legislature, Regular Session, 1969, ^{as amended} (Article 4566-1.01 et seq., Vernon's Texas Civil Statutes), is amended by adding Section 12C to read as follows:

"^{him} Sec 12C. REFUNDS. If the Secretary-Treasurer of the Board deposits into the State Treasury money that is not due the state or money in an amount that exceeds the amount due the state, the money or the excess is subject to refund."

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

1 By: Uribe

S.B. No. 207

2 (In the Senate - Filed January 21, 1983; January 24, 1983,
3 read first time and referred to Committee on Health and Human
4 Resources; February 8, 1983, reported favorably; February 8,
5 1983, sent to printer.)

6 A BILL TO BE ENTITLED
7 AN ACT

8 relating to money deposited in the State Treasury by the Texas
9 Board of Examiners in the Fitting and Dispensing of Hearing Aids
10 that is subject to refund; adding Section 12C to Chapter 366, Acts
11 of the 61st Legislature, Regular Session, 1969, as amended (Article
12 4566-1.01 et seq., Vernon's Texas Civil Statutes).

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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15 Regular Session, 1969, as amended (Article 4566-1.01 et seq.,
16 Vernon's Texas Civil Statutes), is amended by adding Section 12C to
17 read as follows:

18 "Section 12C. REFUNDS. If the secretary-treasurer of the
19 board deposits into the State Treasury money that is not due the
20 state or money in an amount that exceeds the amount due the state,
21 the money or the excess is subject to refund."

22 SECTION 2. The importance of this legislation and the
23 crowded condition of the calendars in both houses create an
24 emergency and an imperative public necessity that the
25 constitutional rule requiring bills to be read on three several
26 days in each house be suspended, and this rule is hereby suspended,
27 and that this Act take effect and be in force from and after its
28 passage, and it is so enacted.

29 * * * * *

30 Austin, Texas
31 February 8, 1983

32 Hon. William P. Hobby
33 President of the Senate

34 Sir:

35 We, your Committee on Health and Human Resources to which was
36 referred S.B. No. 207, have had the same under consideration, and
37 I am instructed to report it back to the Senate with the
38 recommendation that it do pass and be printed.

39 Brooks, Chairman

BILL ANALYSIS

BY: URIBE

S.B. 207

Background Information:

Under current law, the Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids is required to deposit all fees collected into the General Revenue Fund. Currently, the board has the authority to make refunds of money that is deposited by mistake of fact or mistake of law through a rider attached to the Appropriations Bill.

What the Bill Proposes to Do:

Replaces rider to current Appropriations Act by granting statutory authority to the Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids to make refunds.

Section by Section Analysis:

SECTION 1. Amends Chapter 366, Article 4566-1.01 et seq., V.T.C.S., by adding Section 12C.

Sec. 12C. Authorizes the board to refund money deposited into the State Treasury by the Secretary-Treasurer of the board that is not due the state or that exceeds the amount due the state.

SECTION 2. Emergency clause. Effective immediately.

Rulemaking Authority:

It is the committee's opinion that this bill does not grant any new rulemaking authority.

Fiscal Impact:

The fiscal implications of this bill were considered in the development of the fiscal note by the Legislative Budget Board.

2-3-83

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LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

January 24, 1983

Honorable Chet Brooks, Chairman
Committee on Human Resources
Senate Chamber
Austin, Texas

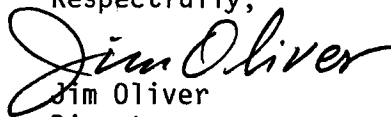
In Re: Senate Bill No. 207
By: Uribe

Sir:

In response to your request pursuant to Senate Rule 94, Subsection (g), this office finds the fiscal implications of Senate Bill No. 207 (relating to money deposited in the state treasury by the Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids that is subject to refund) to be as follows:

No fiscal implication or additional cost to the State or units of local government attributable to the bill, should it be enacted, is anticipated.

Respectfully,


Jim Oliver
Director

Source: LBB Staff: JO, JH, BB, bdt

ME
(Article 4566-1.01 et seq., Vernon's Texas Civil Statutes.)

By: Usher

S.B. No. 207

A BILL TO BE ENTITLED

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2 Board of Examiners in the Fitting and Dispensing of Hearing Aids
3 that is subject to refund. *adding Section 12C to Chapter 366*
4 *Acts of the 61st Legislature, Regular Session, 1969, as amended*
5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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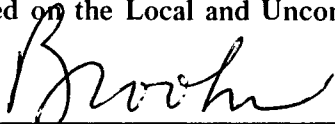
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19 and that this Act take effect and be in force from and after its
20 passage, and it is so enacted.

REQUEST FOR LOCAL & UNCONTESTED CALENDAR
PLACEMENT

Hon. Roy Blake, Chairman
Administration Committee

Sir:

Pursuant to S.R. 148, notice is hereby given, that SB 207, by: URIBE,
was heard by the Committee on HEALTH + HUMAN RESOURCES on FEB. 7, 1988
and reported out with the recommendation that it be placed on the Local and Uncontested
Calendar.


Chairman of the reporting committee

IMPORTANT: THIS FORM MUST BE ATTACHED TO A PRINTED COPY OF THE BILL
OR RESOLUTION, WHICH ALONG WITH 7 ADDITIONAL COPIES OF THE BILL OR
RESOLUTION SHOULD BE DELIVERED TO THE OFFICE OF THE COMMITTEE ON
ADMINISTRATION, ROOM G-27J. PLEASE CALL 5-1134 IF YOU HAVE ANY
QUESTIONS. DEADLINE FOR SUBMITTING BILLS FOR THE LOCAL CALENDAR IS
5:00 P.M. MONDAYS.

March 24 1983 Engrossed
Lacey Spaw
Engrossing Clerk

By: Uribe

S.B. No. 207

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AN ACT relating to money deposited in the state treasury
by the Texas Board of Examiners in the Fitting and Dispensing
of Hearing Aids that is subject to refund.

1-21-83

Filed with the Secretary of the Senate

JAN 24 1983Read, referred to Committee on Health & Human ResourcesFEB 8 1983

Reported favorably. _____

Reported adversely, with favorable Committee Substitute; Committee Substitute
read first time.

Ordered not printed. _____

Senate and Constitutional Rules to permit consideration suspended by

{ unanimous consent.
_____ yeas, _____ nays.To permit consideration, reading and passage, Senate and Constitutional Rules
suspended by vote of _____ yeas, _____ nays.MAR 24 1983Laid before the Senate
Read second time and { ordered engrossed.
_____ passed to third reading.

Caption ordered amended to conform to body of bill.

MAR 24 1983Senate and Constitutional 3-Day Rules suspended by vote of
30 yeas, 1 nays to place bill on third reading and final passage.MAR 24 1983Read third time and passed by { ~~a viva-voce vote.~~
31 yeas, 0 nays.

OTHER ACTION:

Betty KingMarch 24, 1983

Engrossed

3-28-83

Sent to House

Patsy Spaw

ENGROSSING CLERK

MAR 28 1983

Received from the Senate

APR 5 1983Read first time and referred to Committee on Public Health

Reported favorably amended, sent to Printer at _____

Printed and Distributed _____

Sent to Committee on Calendars _____

Read Second time (amended): passed to third reading (failed)

by (Non-Record Vote) Record Vote of _____ yeas, _____ nays

_____ Present, not voting.

Constitutional Rule requiring bills to be read on three several
days suspended (failed to suspend) by a four-fifths vote of
_____ yeas _____ nays _____ present not voting.Read third time (amended); finally passed (failed) by a
(Non-Record Vote) Record Vote of _____ yeas _____ nays
_____ present not voting.

Caption ordered amended to conform to body of bill.

Returned to Senate.

Chief Clerk of the House